

## MEMPHIS APPEAL

WEDNESDAY, : : MARCH 24, 1875.

## THE DECISION OF JUDGE EMMONS.

The charge delivered by Judge Emmons to the grand jury on Monday evening was the subject of general discussion yesterday. The decision is regarded as one of great importance, and will attract much attention throughout the country. It will be read by tens of thousands of persons without regard to political bias; and no unprejudiced man can rise from its perusal without conceding that the civil rights bill is a flagrant violation of the constitutional provisions of the constitution and an unjustifiable and inexcusable interference with the rights of the States. Judge Emmons has omitted nothing in his masterly and complete decision. His analysis of the question is searching, and his positions are clear and unambiguous. The decision is characterized by great vigor of thought, elevation of tone and clearness of statement. It is the utterance of a man of firm convictions, quick insight, broad views and dignified purpose, and will command the respect of the country, while attracting universal commendation. What gives force to Judge Emmons' decision, is his well-known partisan prejudice. He is an unflinching Republican, a zealous personal and political friend of Grant and his administration, and had he entertained the least doubt as to the constitutionality of the civil rights bill, that doubt would have been in favor of the bill. But so flagrant and glaring is its unconstitutionality, as an upright and impartial judge, he could not in self-respect and a due regard to the society of his oath bear to make a decision rebuking the folly of his partisans who passed the bill and the President who signed it. We write this much in addition to what was said yesterday, for the purpose of commenting on another part of Judge Emmons' admirable decision. He rebukes with just and scathing severity the cowardly murderers, and regrets that the law is inadequate to the punishment of the outlaws. The APPEAL most heartily indorses the views of the learned judge on this subject, and has from day to day urged upon our State authorities the duty of hunting down, arresting and punishing the cowardly assassins. But did it never occur to Judge Emmons that the enactment of the unconstitutional, insulting and oppressive laws as he has just pronounced unconstitutional, have had much to do with the commission of the outrages to which he refers? The wise, just and impartial decision which Judge Emmons delivered on Monday last will do more toward restraining the outrages which he deplors, and against which he laments, than all the bloody laws which a congress of Dracoids could enact. When Judge Emmons uttered his noble words in condemnation of the usurpations of a partisan congress, he inspired the people of the south with the belief that they could yet find safety from wrong and oppression by a just and honest judiciary. When, on Monday last, Judge Emmons lifted high the banner of the constitution, and told the southern people that it should protect them from the wrongs proposed through its violation, he paralyzed the arm of the assassin, and removed the greatest cause for the tumults and disorders in the south; for when a people have no constitutional protection, are outlaws by their own government, they become outlaws. The people of Arkansas are tranquilized, contented and happy. Perfect order reigns in every county in the State. But, had Grant, in utter disregard of the constitution, succeeded in plunging the dagger of military violence into the heart of the State, we would hear much about those outrages which Judge Emmons would so severely punish. But the cause has been removed, and the effect is peace and quietude. Had the people of the State passed the radical congress in utter violation of the constitution, many of the outlaws would have been made outlaws. Intolerable wrongs create wrong and intolerable citizens. The decision of Judge Emmons will do much toward removing the wrongs of the constitution and lawlessness. When the constitution ceases to be a rope of sand, and becomes a bulwark to protect the southern people from usurpation, then we will hear no more about the murders which Judge Emmons so justly condemns, and would punish with such remorseless severity.

We publish in another column a statement sworn to in New Orleans by a man named Samuel Wright, which reveals a state of things in the Texas penitentiary horrible to contemplate, and the bare recital of which almost curdles the blood. Mr. Wright, as the New Orleans Times puts it, recites a history of suffering and cruelty such as we never heretofore believed humanity could endure or inhumanity inflict. Instances are cited wherein men were kept in the stocks until their eyeballs protruded in their frenzy, while guards with fiendish glee stood before them taunting at their agony, and demanding, with loud boasts of laughter, what they saw. According to Wright's description, the state penitentiary of Texas would appear to be a pandemonium on earth, where devils, not human beings, are in control, and the very semblance of law is unheard of. Murder, outrage, barbarous ill-treatment, and an unbroken degradation of the last vestige of nature appear to be the ordinary incidents, and even an apology for humanity the only novelty. The governor and legislature of Texas owe it to the christian people of the State to investigate these charges promptly, and, if found true, to punish the perpetrators of these horrors with unsparring severity.

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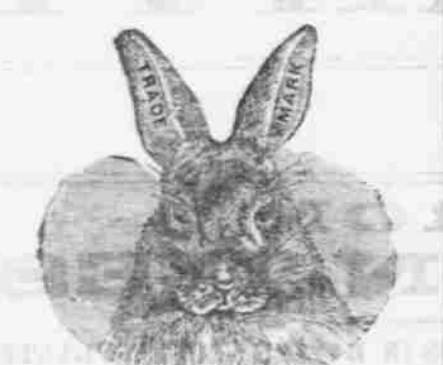
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Statement, January 1, 1875.

ASSETS.

Loans on mortgage (value of property

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Loans on collateral security 5,000 00

Interest accrued on loans 25,000 00

U. S. Bonds, market value 85,000 00

West Chicago Park Bonds, market value 75,000 00

U. S. Bonds, market value 10,000 00

Market value of bonds 500,000 00

Bonds and interest 1,000 00

National bank stocks, market value 10,000 00

Real estate owned by company 5,000 00

Real estate owned by company 5,000 00

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